

# CALIFORNIA MEDICAL ASSOCIATION

This department contains official notices, reports of county society proceedings and other information having to do with the State Association and its component county societies. The copy for the department is submitted by the State Association Secretary, to whom communications for this department should be sent. Rosters of State Association officers and committees and of component county societies and affiliated organizations, are printed in the front advertising section on pages 2, 4 and 6.

## CALIFORNIA MEDICAL ASSOCIATION

WILLIAM W. ROBLEE.....President  
CHARLES A. DUKES.....President-Elect  
LOWELL S. GOIN.....Speaker  
KARL L. SCHAUPP.....Council Chairman  
GEORGE H. KRESS.....Secretary-Treasurer

### OFFICIAL BUSINESS

1. *Council Minutes, Two Hundred and Sixty-Fifth Meeting, May 12, 1938.*
2. *Council Minutes, Two Hundred and Sixty-Sixth Meeting, June 11, 1938.*
3. *Council Meeting, Two Hundred and Sixty-Seventh Meeting, October 1, 1938.*

### DEPARTMENT OF PUBLIC RELATIONS

1. *Neon Signs as a Means of Advertising.*
2. *Coöperation Rendered by a County Auxiliary in Work Against "State Humane Pound Act."*

### COUNCIL MINUTES\*

#### Minutes of the Two Hundred and Sixty-Fifth Meeting of the Council of the California Medical Association

*Held in Room 449 of the Hotel Huntington, Pasadena, California, May 12, 1938, at 9 a. m.*

1. **Call to Order.**—The meeting was called to order by Acting Chairman Morton R. Gibbons, with the following members present: Past President Howard Morrow; President William W. Roblee; President-Elect Charles A. Dukes; Speaker Lowell S. Goin; Councilors Calvert L. Emmons, Carl R. Howson, Louis A. Packard, Axel E. Anderson, Alfred L. Phillips, Oliver D. Hamlin, P. K. Gilman, F. N. Scatena, Henry S. Rogers, Junius B. Harris, C. O. Tanner, William H. Kiger, Harry H. Wilson, Chairman of Public Relations Committee George G. Reinle; Editor George H. Kress, Secretary F. C. Warnshuis; General Counsel Hartley F. Peart and his associate, Mr. Howard Hassard.

Absent: Doctors Kelly and Schaupp.

A quorum present and acting.

2. **Membership of Council.**—Acting Chairman Gibbons announced that George G. Reinle was now a member of the Council by virtue of his election as chairman of the Committee on Public Relations; and P. K. Gilman was the new councilor-at-large from San Francisco.

3. **Election of Chairman of Council.**—On nomination of William Roblee, seconded by Howard Morrow, Karl L. Schaupp was elected chairman of the Council for the ensuing year.

4. **Election of Vice-Chairman.**—On nomination of William Roblee, seconded by Frederick N. Scatena, Junius B. Harris was elected Vice-Chairman of the Council.

Doctor Harris then took the chair.

The Council expressed its appreciation of the services rendered by Doctors Palette and Gibbons, who then retired.

5. **Executive Session.**—It was moved by Charles Dukes, seconded by Louis Packard, that the Council go into executive session. Carried.

Doctor Warnshuis, Doctor Kress, Mrs. Talbot, Mr. Peart, and Mr. Hassard then left the room.

Dr. Louis Packard was appointed acting secretary.

Announcement was made by Vice-Chairman Harris that the election of a secretary-treasurer and a director of public relations for the ensuing year was the next order of business.

An informal discussion was had of this situation in which all members of the Council (except the newly elected councilors, Doctors Reinle and Gilman) took part. Each member of the Council, with said two exceptions, expressed the opinion that the best interests of the Association would be served and economies effected by the election of a successor to Dr. F. C. Warnshuis, whose term had expired.

Secretary Warnshuis was called in and informed that the Council was of the opinion that a successor to him should be elected and was asked if he desired to make a statement.

The Secretary inquired if there were any charges or specific complaints. None were advanced.

The Secretary then reviewed the circumstances, verbal and written conditions and correspondence, and long distance telephone conversations, under which he was invited to come to California to assume the duties of secretary-treasurer and director of public relations. Citation was made of the understanding agreed upon by the Council at the Council meeting in Yosemite in 1935.

The Secretary then reviewed his activities and directed attention to the approved reports and financial statements that reveal the expanding activity of the Association during his tenure of office and his administrative work . . .

. . . On motion duly made, seconded and unanimously carried by the vote of all the councilors present, excepting the newly elected members, Doctors Reinle and Gilman (who were excused from voting because of their unfamiliarity with the situation), the following resolution was adopted:

WHEREAS, It is to the best interests of this Association and economies can be effected by making a change in the office of Secretary-Treasurer and Director of Public Relations; now, therefore, be it

*Resolved*, That Dr. Frederick C. Warnshuis be appointed to act temporarily as Secretary-Treasurer and Director of Public Relations, to serve from the date hereof up to July 1, 1938, at his present total salary of \$1,000 per month, and that on June 30, 1938, he be paid a bonus of three months' salary, to wit: the sum of \$3,000, subject to his acceptance of such temporary arrangement; and be it further

*Resolved*, That the chairman of the Council be and he is hereby authorized and instructed to appoint a committee of three members of the Council to examine the facts and available documents relating to the original employment of Doctor Warnshuis; to attempt to effect a mutually agreeable settlement of any difference between the Association and Doctor Warnshuis, and report thereon to the Council; and be it further

*Resolved*, That President W. W. Roblee be and he is hereby appointed, and authorized and directed as a committee of one formally to notify Doctor Warnshuis forthwith of the foregoing action of the Council.

. . . On motion duly made, seconded and unanimously carried (Doctor Gilman not voting), Dr. George H. Kress was elected secretary-treasurer and director of public rela-

\* The minutes of the two hundred and sixty-fourth meeting of the Council of the California Medical Association were printed in the July, 1938, issue of CALIFORNIA AND WESTERN MEDICINE, page 84.

tions at a salary of \$8,000 a year, to take office on July 1, 1938, for the term commencing July 1, 1938, and ending at the next organization meeting of the Council succeeding the next annual session of the Association.

On motion duly made, seconded and unanimously carried (Doctor Gilman not voting), Dr. George H. Kress was elected editor for the ensuing year at a salary of \$4,000 per year.

On motion duly made, seconded and unanimously carried, Hartley F. Peart, Esq., was appointed general counsel for the Association for the ensuing year at his present retainer, to wit, \$4,000 per year.

On motion duly made, seconded and unanimously carried, Hubert T. Morrow, Esq., was appointed associate general counsel for the ensuing year, without retainer. . . .

**6. Farm Bureau Conference.**—Doctor Rogers reported on his County Hospital Conference Committee and requested that Doctors Gibbons and Wilson be added to the Committee. Said doctors were added to said committee.

The Secretary was directed to arrange a conference in San Francisco on May 28 between the Council's Special Committee and Farm Bureau representatives. Mr. Peart was recalled and his opinion obtained regarding this conference.

**7. Legal Stenographer.**—It was moved by Charles Dukes, duly seconded and carried, that Mr. Peart be allowed \$75 per month for secretarial service.

**8. Council Meeting.**—The Secretary was directed to arrange for a Council meeting in June, time and place to be fixed by the Chairman.

**9. Adjournment.**—The Council adjourned at 1 p. m.

JUNIUS B. HARRIS, *Acting Chairman.*

LOUIS A. PACKARD, *Acting Secretary.*

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#### Minutes of the Two Hundred and Sixty-Sixth Meeting of the Council of the California Medical Association

A special meeting of the Council of the California Medical Association was held in the offices of the Association, Room 2004, 450 Sutter Street, San Francisco, Saturday, June 11, 1938, at 9:30 a. m.

**1. Roll Call.**—The Secretary called the roll of the Council and the following members answered as being present: William W. Roblee, Lowell S. Goin, Karl L. Schaupp, T. Henshaw Kelly, Calvert L. Emmons, Louis A. Packard, A. E. Anderson, A. L. Phillips, F. N. Scatena, Henry S. Rogers, H. H. Wilson, William H. Kiger, C. O. Tanner, P. K. Gilman, J. B. Harris, George G. Reinle, George H. Kress, F. C. Warnshuis; Mr. Hartley F. Peart, general counsel, and his associate, Mr. Hassard.

Absent: Doctors Dukes, Howson, Morrow, and Hamlin.

**2. Executive Session.**—The chairman, Karl L. Schaupp, announced that at the request of William W. Roblee, the Council would go into executive session. Doctors George H. Kress and Frederick C. Warnshuis and Mr. Peart and Mr. Hassard then left the room.

**3. Call to Order.**—Karl L. Schaupp, Chairman of the Council, acted as chairman of the meeting, and Mrs. Armida Talbot, assistant to the secretary, acted as secretary thereof.

**4. Office of Secretary-Treasurer and Director of Public Relations Department.**—Chairman Schaupp stated that as Doctor Warnshuis left the room he had handed him, as presiding officer, the opinion of Roy A. Bronson, Esq., of the law offices of Bronson, Bronson & McKinnon, on the failure to reelect Doctor Warnshuis as secretary-treasurer and director of public relations.

Doctor Schaupp then read the opinion of Messrs. Bronson, Bronson & McKinnon, which was then ordered placed on file. . . .

Doctor Roblee presented the report of the Committee appointed to confer with Doctor Warnshuis. At the con-

clusion of the presentation of the report, Doctor Roblee and Doctor Schaupp submitted to the Council various county society resolutions and letters together with communications from individuals and groups, all expressing opinions on the Council's action in regard to the offices of the secretary-treasurer and director of public relations. Said resolutions and communications were ordered filed.

Upon motion duly made, seconded and carried, the report of the Special Committee was accepted.

Consideration and discussion was then had concerning the resolution and communications previously submitted and filed. (Said resolution and communications consisted of protests and approvals of the Council's action.)

**5. Noon Recess.**—At this point the Council recessed for luncheon.

**6. Reconvening of the Council.**—The Council reconvened after luncheon, with all members present who had attended the morning session. The Chairman announced that the Council would immediately go into executive session.

**7. Minutes of Meeting of May 12, 1938.**—A draft of the minutes of the organization meeting of the Council held at Pasadena, May 12, 1938, was read. Several corrections were ordered in said draft.

**8. Secretary-Treasurer and Director of Public Relations.**—Discussion was resumed on the matter of possible reconsideration of the previous action of the Council and, after full consideration of all circumstances, it was moved and seconded that the Council reaffirm its decision at its annual organization meeting with respect to the employment of a secretary-treasurer and director of public relations. After further discussion the motion was carried (Doctor Kelly voting in the negative).

The committeemen then left the room to confer with Doctor Warnshuis.

**9. Minutes of Meetings of May 12, 1938, and May 8, 9, 10, and 11, 1938.**—The minutes of the annual organization meeting of the Council held at Pasadena, May 12, 1938, as corrected were read to the Council.

Upon motion duly made, seconded and unanimously carried, the minutes as corrected were approved.

The minutes of the meetings of the Council held on May 8, 9, 10, and 11, 1938, were presented and approved.

**10. Notification of Appointment as Secretary-Treasurer and Director of Public Relations.**—Upon motion duly made, seconded and carried, Doctor Warnshuis was directed to notify Doctor Kress of his appointment as Secretary-Treasurer and Director of Public Relations forthwith.

**11. Changes in Personnel.**—On motion duly made, seconded and carried, it was

*Resolved*, That the Executive Committee or the Chairman of the Council be and they are hereby authorized in the name and on behalf of this Association, California Medical Association, to do such acts and things as shall be necessary in the opinion of either thereof, to effect the changes in personnel of this Association made at the annual organization meeting of the Council held at Pasadena, California, May 12, 1938, and to do such acts and things and take such proceedings as shall be necessary by reason of said changes in personnel.

A vote was taken and said motion carried unanimously.

It was duly moved, seconded and carried, that the Council rise from executive session. Carried.

**12. Date of Next Annual Session.**—Chairman Schaupp presented a letter from Hotel Del Monte outlining desirable dates for the 1939 annual session.

On motion duly made, seconded and carried, May 1, 2, 3 and 4, 1939, was fixed as the date of the next annual session.

**13. Disciplinary Procedures.**—The Chairman announced that he had appointed Anthony Diepenbrock of San Francisco to act as referee in the hearing before the San Mateo

County Medical Society governing disciplinary proceedings against a member of that society. The appointment of the chairman was approved by the Council.

**14. Advisory Committee to Nursing Bureau.**—The Chairman of the Council was instructed to name the three appointees requested by the Department of Public Health to act as an Advisory Committee to the Chief of the Bureau of Nursing Registration.

**15. Woman's Auxiliary.**—A resolution from the Woman's Auxiliary, expressing appreciation of the assistance rendered by the Association during the annual session at Pasadena, was presented for the information of the Council.

**16. Committee on Mental Hygiene.**—A letter regarding the proposed Committee on Mental Hygiene was referred to the Executive Committee for action.

**17. Retired Membership.**—Membership data and the request of the Orange County Medical Society for granting of retired membership to Roland J. Harvey of Anaheim was presented.

On motion of Louis Packard, seconded by Junius B. Harris, the request of the Orange County Medical Society was approved and Dr. Roland J. Harvey was granted retired membership in the California Medical Association.

**18. Medical Care.**—The following resolution was presented to the Council for consideration at the request of Lyell C. Kinney of San Diego.

WHEREAS, The American Medical Association has attempted for many years to appraise and meet the changing problems in the provision and distribution of medical care; and

WHEREAS, The American Medical Association has constantly endeavored to raise the standards of medical practice, and has maintained a fixed policy that any necessary changes in medical practice must improve, and not sacrifice the quality of medical care; and

WHEREAS, It is the policy of the American Medical Association to endeavor to provide adequate medical care to all the people in this country; and to that end the American Medical Association has offered its facilities and its cooperation to any authorized representative of the Government to promote orderly progress and greater efficiency in the provision of medical care; and

WHEREAS, There is a constant and determined attack upon the American Medical Association in lay magazines, in an effort to discredit the policies of the American Medical Association with the public and the Government, and to misrepresent the work and ideals of the Association, and to mold public opinion against the Association; therefore, be it

*Resolved*, That the House of Delegates of the American Medical Association direct the Board of Trustees to develop an aggressive and forceful program of Public Relations in the Bureau of Health Instruction to inform the public and governmental agencies concerning the policy of the American Medical Association in regard to changes in medical practice, and the reasons therefor; and be it further

*Resolved*, That it is the judgment and the request of the House of Delegates that the Bureau of Health Instruction employ outstanding professional Public Relations Counsel to direct a sustained program for the purpose of presenting to the public the true facts concerning the need for medical care, and the position of the medical profession concerning the problems involved.

It was moved, seconded and carried, that the Council endorse the resolution as presented and authorize Doctor Kinney, as delegate, to present it on behalf of the California delegation.

**19. Legal Department Stenographic Service.**—The Auditing Committee approved the expenditure of \$75 per month for stenographic service for the legal department, commencing June 1, 1938, as authorized by the Council at Pasadena.

**20. American Medical Association Survey of Medical Care.**—It was moved by Junius B. Harris, seconded by Alfred Phillips, that the Chairman of the Council contact Doctors West, Bauer, or Leland and ascertain what action is desired in relation to the American Medical Association Survey on Medical Care, and report to the Executive Committee. Carried.

**21. Farm Bureau.**—Dr. Henry Rogers reported on the conference with the Farm Bureau representatives and suggested that another conference with the Council be called.

The report of the Committee and related correspondence was read by Doctor Rogers. No action.

## 22. Executive Session. . . .

. . . At the suggestion of Doctor Kelly, the Conciliation Committee was continued to confer further with Doctor Warnshuis and in the event that a reasonable settlement was offered that it be sent out to the Council for approval by mail vote.

**23. Adjournment.**—There being no further business the meeting adjourned.

KARL L. SCHAUPP, *Chairman*.

LOUIS A. PACKARD, *Acting Secretary*.

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## Minutes of the Two Hundred and Sixty-Seventh Meeting of the Council of the California Medical Association

The Council convened at 9 a. m., Saturday, October 1, 1938, in the office of the Association, Room 2004, 450 Sutter Building, San Francisco.

**1. Roll Call.**—The meeting was called to order by Chairman Schaupp. Following councilors were present: Doctors Schaupp, Anderson, Roblee, Phillips, Scatena, Kiger, Reinle, Gilman, Wilson, Rogers, Emmons, Dukes, Goin, Morrow, Hamlin, Packard, Kress; Mr. Peart and Mr. Hassard.

T. Henshaw Kelly arrived after the noon recess.

Absent: Doctors Harris, Howson and Tanner.

After informal reports by Doctors Henry S. Rogers of Petaluma and Louis A. Packard of Bakersfield, on behalf of the special committees of which they were chairmen, an exchange of opinion was had on the nature of topics which might come up for discussion in the conference with the Farm Bureau representatives, which was to follow.

At 10 a. m. the Council recessed, the members going to the Sir Francis Drake Hotel, which had been designated as the meeting place for the conference with representatives of the California Farm Bureau.

**2. Farm Bureau Conference.**—The conference was held in Room 302 in the Sir Francis Drake Hotel. A previous conference with a special committee of the California Medical Association had been held on Saturday, May 28, 1938, the present conference being called to bring about a clearer understanding on problems of mutual interest concerned with public health, medical service, hospital needs and allied matters.

The conference was called to order by Council Chairman Schaupp, who in turn introduced Dr. W. W. Roblee of Riverside, President of the California Medical Association, who acted as chairman of the conference.

The conference continued until 12:30 noon, at which time luncheon was served. After luncheon, the conference again convened. All representatives of the Farm Bureau spoke and gave information of real importance on the medical service and other needs of the farmer population in California. Their own well-planned organization was explained and some of their objectives indicated. After a free expression of opinion by the Farm Bureau and other representatives, President Roblee requested Councilor Louis A. Packard, who had completed an extensive trip throughout the state, to give to those present some of his observations. A general discussion followed, and it was agreed that it was desirable that the progress which had been made should be followed up through the appointment of a special committee to represent the California Medical Association to meet with and confer further on next steps in procedure, as regards prospective legislation and other matters having as their object the attainment of ends on which mutual agreement had been made.

It was moved by Charles Dukes, seconded by Howard Morrow, that a committee, consisting of Doctors Rogers, Packard, and Reinle, be appointed to confer with the Farm Bureau, hospital and dental representatives, in line with the opinions agreed upon in the conference. Carried.

At 4 p. m. the conference came to an end, President Roblee expressing to the Farm Bureau representatives the appreciation of the Council of the California Medical Association for their attendance and coöperation.

Council Chairman Schaupp then resumed the chair.

**3. Minutes of the Council.**—(a) *Organization Meeting.* The minutes of the organization meeting (two hundred and sixty-fifth meeting) of the Council, held on Thursday, May 12, 1938, were presented, these having been approved at the special meeting of June 11, 1938.\*

J. B. Harris, who acted as chairman *pro tem* of the meeting, was instructed to edit the minutes for publication and resubmit them to the Council at the meeting to be held tomorrow (Sunday, October 2, 1938).

(b) *Special Meeting.*—The minutes of the special meeting (two hundred and sixty-sixth meeting) of the Council (an executive session) held in San Francisco on June 11, 1938, were presented.

It was moved by Lowell S. Goin, seconded by T. Henshaw Kelly, that a committee† of two members of the Council be appointed to edit the minutes before submission for approval or publication. Carried.

**4. Minutes of the Executive Committee.**—The minutes of the one hundred and fifty-ninth meeting of the Executive Committee were presented.

It was moved by Charles A. Dukes, seconded by Howard Morrow, that the digest of the minutes of the one hundred and fifty-ninth meeting of the Executive Committee, as published in the September JOURNAL, be approved. Carried.

It was moved by Harry H. Wilson, seconded by Charles A. Dukes, that a committee, consisting of the Chairman of the Executive Committee, review the minutes of the one hundred and fifty-ninth meeting of the Executive Committee and that revised copies of the complete minutes be sent to all members of the Council. Carried.

**5. Financial Statements.**—Financial statement for the month of August was presented and, there being no objection, was approved.

The Secretary was authorized to clarify the monthly financial statements by the addition of columnar totals and was instructed to include a record of membership in each monthly statement.

**6. Indemnity Defense Fund.**—A bill from Ernst & Ernst, certified public accountants, for auditing the accounts of the Indemnity Defense Fund as of June 30, 1938, in the sum of \$75 was presented.

It was moved by T. Henshaw Kelly, seconded by Charles A. Dukes, that the bill of Ernst & Ernst for \$75 be paid by the California Medical Association. Carried.

**7. Annuity Insurance Premiums.**—It was the sense of the Council that the section of the report of the Special Committee on Expenditures of the Association relating to annuity insurance for clerical employees be complied with and that the premium covering the policy of Miss Smith be paid by her.

**8. Office Assistants.**—The Secretary stated that extra Association activities that were in contemplation and additional work of the Committees on Postgraduate Activities and Pneumonia Control would require the service of an expert stenographer.

It was moved by Howard Morrow, seconded by William H. Kiger, that the matter of change in office assistants be left in the hands of the Secretary and he be authorized to secure a stenographer at \$125 to \$150 per month. Carried.

**9. Committee on Hospitals, Dispensaries, and Clinics.** It was moved by Charles A. Dukes, seconded by George G. Reinle, that the resignation of Daniel Crosby as chairman of the Committee on Hospitals, Dispensaries, and Clinics, be accepted with regret. Carried.

It was moved by Charles A. Dukes, seconded by George G. Reinle, that the mail vote of the Council on the election

of W. E. Mitchell as chairman of the Committee on Hospitals, Dispensaries, and Clinics be confirmed and approved. Carried.

**10. Committee on Pneumonia Control.**—For the information of the Council, the Secretary stated that the Committee on Pneumonia Control had outlined a plan of procedure which might entail clerical work and coöperation in the Central Office of the Association.

**11. Golden Gate Exposition.**—T. Henshaw Kelly, Chairman of the Committee on Exhibits at the Golden Gate Exposition, stated that he had contacted Mr. Silverman, Director of Exhibits in the Health and Science Building, and that he was at present negotiating for floor space. For the information of the Council, Doctor Kelly outlined a plan for a booth on cancer, which could be erected and maintained during the Exposition at a cost not to exceed \$5,000.

The Secretary stated that at present there was available in the Herzstein Bequest for use in the preparation of such exhibit, \$2,687.23.

It was moved by Charles A. Dukes, seconded by George G. Reinle, that the California Medical Association advance \$3,000 for use in the preparation of an exhibit at the Golden Gate Exposition that would promote the objectives outlined in the bequest of the late Dr. Morris Herzstein, and that the moneys be refunded from the Herzstein Bequest income, as received; and that the booth be under the charge of the Special Committee for the Golden Gate International Exposition, of which T. Henshaw Kelly is chairman.

**12. Committee on Hard of Hearing.**—The Secretary presented a folder distributed by the Section on Ophthalmology and Otolaryngology's Committee on the Hard of Hearing and called the attention to the unauthorized use of the name "California Medical Association" in the title thereof. Doctor Kress stated that the pamphlet had been excellently prepared and for a much-needed purpose, but the use of the name of the California Medical Association was not in accord with the by-laws or rules laid down by the Council.

It was moved by Charles A. Dukes, seconded by A. E. Anderson, that the attention of the Chairman of the Section on Ophthalmology and Otolaryngology and of the Section's subcommittee be called to the Council ruling on the use of the name of the Association, and that the Section be asked to first secure such approval before sending out any additional literature. Carried.

**13. Department of Public Relations Bulletin.**—George G. Reinle, Chairman of the Committee on Public Relations, advised that the Committee had discussed the desirability of publishing a bulletin for the department as material accumulated and needs arose for such a pamphlet.

It was moved by Calvert Emmons, seconded by George G. Reinle, that publication of a "bulletin" for the Department of Public Relations, when the dissemination of valuable information was desired, be authorized and that the expense thereof be charged against the budget of the Department of Public Relations. Carried.

**14. Recess of Council.**—At this point, on motion of Charles A. Dukes, seconded by George G. Reinle, the Council recessed until 9 a. m., Sunday, October 2, 1938.

**15. Reconvening of Council.**—The Council reconvened at 9 a. m. in Room 302, Sir Francis Drake Hotel, on Sunday, October 2, 1938, with the following members present: Doctors Schaupp, Anderson, Roblee, Phillips, Scatena, Kiger, Packard, Reinle, Harris, Gilman, Wilson, Rogers, Emmons, Dukes, Goin, Kelly, Hamlin, Morrow, Howson, Kress; Mr. Peart and Mr. Hassard.

Absent: Doctor Tanner.

**16. California and Western Medicine.**—The Council gave its approval to the recommendation of the Executive Committee that the members of the Nevada State Medical Association be again granted affiliation with CALIFORNIA AND WESTERN MEDICINE on the same basis for acceptance

\* Item 9 of Minutes of that meeting.

† Committee appointed: President W. W. Roblee and Council Vice-Chairman Junius B. Harris.

of articles and news as apply to California members, provided that the Nevada State Medical Association agreed to cover approximate costs of CALIFORNIA AND WESTERN MEDICINE through the payment by its treasurer of \$3 each for the entire membership of the Nevada State Medical Association.

**17. Medical Libraries.**—It was moved by Charles A. Dukes, seconded by A. E. Anderson, that medical libraries be allowed a 25 per cent discount from the regular subscription price. Carried.

**18. Agencies.**—It was moved by A. E. Anderson, seconded by George G. Reinle, that subscription agencies be allowed a discount of 20 per cent from the regular subscription price of the JOURNAL. Carried.

**19. Editorial and Secretarial Position.**—After discussion of a letter received from a member of the Association requesting consideration of his application for a position as assistant secretary and assistant editor, it was moved by Charles A. Dukes, seconded by A. E. Anderson, that such office be not created at this time; and the Chairman of the Council be instructed to write to the inquiring member and advise him of the Council's action. Carried.

**20. Humane Pound Initiative.**—The action of the Executive Committee in recommending that the Council appropriate not to exceed \$10,000 for educational purposes in connection with the importance of animal experimentation in medical research and the proposed State Humane Pound Act (Initiative No. 2 on the November 8, 1938, State election ballot), was discussed.

P. K. Gilman, campaign manager of the California Society for the Promotion of Medical Research, then outlined the activities and plans of that organization. Doctor Gilman stressed the need of financial support for the carrying on of educational work over the radio, through the press and in public meetings, stating that the present plans of the California Society for the Promotion of Medical Research would require \$6,000, to be used for radio, printing, and newspaper publicity. Doctor Reinle stated that \$2,500 had been appropriated by the Alameda County Medical Association at its meeting a week ago, to aid in protecting medical research, the Alameda County Association contributing to the cause the sum of \$5 for each of its members.

It was moved by William W. Roblee, seconded by Charles A. Dukes, that \$3,000 of the \$10,000 suggested by the Executive Committee to be allocated by the Association be placed at the disposal of the California Society for the Promotion of Medical Research, with the provision that none of such sum shall be used for salaries. Carried.

The members of the Council felt that a plan should be developed to secure aid from county medical societies, and that county auxiliaries should also be contacted to aid in carrying out the plan of distribution of educational literature through physicians to their patients.

It was moved by T. Henshaw Kelly, seconded by W. W. Roblee, that the Council authorize the necessary expenditure, not to exceed \$7,000, and that the Association Secretary be instructed to begin the development of a plan which will place in the hands of members' patients a letter not less than forty-eight hours prior to the November 8 election requesting the patient, as the physician's friend, to vote against the bill, and thereafter the Central Office of the California Medical Association is to be the coordinating agency in the development of the machinery to carry out this plan; and that the responsibility of supervising the carrying out of the plan be through a committee composed of P. K. Gilman, T. Henshaw Kelly, and George H. Kress. Carried.

Upon the suggestion of Dr. Goin, Dr. J. W. Crossan of Los Angeles was added to the committee.

**21. Nursing Practice Act.**—The proposed Nursing Practice Act as submitted by the California Nurses' Association was presented, and on motion of Charles A. Dukes, seconded by Alfred Phillips, the same was referred to the Committee on Public Policy and Legislation for study and report. Carried.

**22. Medical Practice Act.**—T. Henshaw Kelly, Committee of One, appointed by the Executive Committee, reported on proposed amendments to the Medical Practice Act relating to interns as outlined in a recent ruling of the Attorney-General, whereby interns in California hospitals who had been graduated in other states and who had an M. D. degree, but who were not yet licensed in California, violated the Medical Practice Act, subjecting themselves, the hospitals, and the physicians under whom they worked, to legal prosecution. Doctor Kelly then presented a tentative draft of a proposed amendment and stated he had discussed this amendment with Doctor Harris and that it was planned to secure the views of the Board of Medical Examiners thereon at its meeting on October 15.

It was moved by William H. Kiger, seconded by Charles A. Dukes, that the Council approve the recommendations of the Committee.

A vote was taken on the motion; motion carried, Doctors Rogers and Packard voting in the negative.

**23. Institutions Commission.**—Doctor Kress made a progress report concerning a proposed Los Angeles County Institutions Commission and stated the Los Angeles County Grand Jury had brought in a report to the Los Angeles County Board of Supervisors, recommending the establishment of such a commission to supervise the administration of the Los Angeles County Hospital, Olive View Sanatorium, and Rancho Los Amigos (County Farm).

**24. San Mateo Hearing.**—It was moved by Charles A. Dukes, seconded by Junius B. Harris, that on behalf of the Council a letter of appreciation be sent Dr. Anthony Diepenbrock for his services in acting as referee in the San Mateo hearing. Carried.

**25. San Francisco Hearing.**—A letter was presented from the secretary of the San Francisco County Medical Society stating that the date of hearing of the charges in the case of *A. S. Green and Martin I. Green vs. Dohrmann Pischel*, had been fixed as October 24, 1938.

**26. San Diego Hearing.**—The Secretary reported that, in accordance with a request received from Dr. Roy Stevenson, he would forward a copy of the transcript of the minutes of the hearing as conducted at the Pasadena session, upon receipt of the check to cover cost of stenographic services.

**27. Membership.**—The Los Angeles County Medical Association having recommended for retired membership Dr. William H. Gilbert of Laguna Beach, who had permanently retired from practice, on motion of T. Henshaw Kelly, seconded by P. K. Gilman, William H. Gilbert of Laguna Beach was granted retired membership in the California Medical Association.

**28. Prospective Membership.**—It was the sense of the Council that the regular procedure in regard to checking membership applications with the Board of Medical Examiners and the American Medical Association be continued and that Section 8 (b) of Chapter II of the by-laws of the Association on "residence requirement," which stipulates at least six months' prior residence, must be had before election to membership, be observed in all cases.

**29. Association Membership.**—It was moved by William Roblee, seconded by A. E. Anderson, that the former member of the Alameda County Medical Association who desired to remit dues without entailing membership in the County or State Associations and without responsibility for the transactions of the Association, be informed that it will be impossible to receive dues under these provisions. Carried.

**30. County Society Members on Leaves of Absence.** It was the sense of the Council that there was no provision whereby membership could be retained in the State Association by members who had been granted leaves of absence from county societies except by regular payment of the State dues, which, if paid, would also entitle the member to automatic membership in the American Medical Association. Fellowship in the American Medical Association would then also be possible, provided the American Medical

Association member made application therefor, enclosing subscription to the *Journal of the American Medical Association* (\$7).

**31. Special Meeting of American Medical Association.** President William W. Roblee read a report on the special meeting of the American Medical Association held in Chicago, September 16 and 17, 1938. The report to be printed in the October, 1938, issue of CALIFORNIA AND WESTERN MEDICINE.

**32. Medical and Hospital Indemnity Policies.**—General Counsel Peart read a letter prepared in accordance with instructions from the Executive Committee for transmission to all county societies, regarding medical and hospital indemnity policies.

A discussion was had as to the scope and interpretation of policies of "for-profit organizations" and their effect on "nonprofit organizations"; the dangers involved when such "for-profit policies" were approved being outlined. It was pointed out that the policies constituted a contract between the insurance company and the patient and not between the insurance company and the physician.

A letter submitted by Mr. Peart, and to be sent to the secretaries of the several component county societies advised as to the course to be followed with reference to solicitation for endorsement of such policies either by the insurance company or by the insured.

Dr. Charles A. Dukes suggested that the letter be amended by a clause calling attention to the fact that the Association had approved three nonprofit associations and corporations furnishing hospital insurance.

It was moved by Charles A. Dukes, seconded by Alfred L. Phillips, that the letter, with suggested amendments, be approved. Carried.

**33. Palo Alto Hospitalization Group.**—The Secretary read a letter written to Russell V. Lee, regarding the Palo Alto Hospitalization Group.

The Council restated its former action and rule that all plans for hospital or medical service submitted for the approval of the State Association must be submitted through the respective county society to the California Medical Association's Committee on Public Relations for report and recommendation to the Council.

A letter on these matters from the Santa Clara County Medical Society was read and the Secretary was instructed to call attention to the procedure to be followed before endorsement could be given by the county society.

**34. Diagnostic Medical Service.**—The Secretary read a letter from Dr. L. H. Garland, addressed to Council Chairman Karl Schaupp, dated September 1, 1938, requesting that diagnostic medical service through indemnification be eliminated from the policies of the Insurance Association of Approved Hospitals. Full discussion was had.

It was moved by Charles A. Dukes, seconded by George G. Reinle, that the Council Chairman appoint a Committee of Three to confer with representatives of the Pacific Roentgen Society and with the Insurance Association of Approved Hospitals. Carried.\*

It was moved by Charles A. Dukes, seconded by George G. Reinle, that a Committee of Three be appointed for the purpose of studying medical service on an indemnification basis on a periodic payment plan and to bring in a report thereon to the Council. Carried.†

**35. Woodland Clinic.**—The Secretary read a letter from Dr. John Homer Woolsey, regarding a proposed survey of the Clinic. The Council concurred in the sentiments expressed by Doctor Woolsey regarding such survey.

**36. Mono-Inyo County Society.**—The Secretary reported that plans were under way for the formation of a medical society that would make application for a charter as a county medical society for Mono and Inyo counties.

\* The Committee appointed consists of Doctors George G. Reinle, Chairman, Oakland; T. Henshaw Kelly, San Francisco; and Robert S. Stone, San Francisco.

† The Committee agreed upon consists of Charles A. Dukes, Oakland, Chairman; T. Henshaw Kelly, San Francisco; Lowell S. Goin, Los Angeles.

**37. Exhibits at Annual Session.**—The Secretary reported on plans for exhibit space at the Del Monte session, and on motion of Louis A. Packard, seconded by A. E. Anderson, the plan as outlined was approved and the Secretary was authorized to proceed and to make all necessary arrangements.

**38. Committee on Arrangements.**—In accordance with Section 6 of Chapter IV of the by-laws, the Chairman, with the approval of the Council, named as the local Committee on Arrangements for the Del Monte annual session, May 1 to 4, 1939, the following: Doctors Mast Wolfsohn, Monterey (Chairman); Alfred L. Phillips, Santa Cruz; W. M. Gratiot, Monterey; Curtis B. Gorham, Monterey; and H. R. Lusignan, Monterey, with the Association Secretary, ex-officio member, as per the by-laws.

**39. State Dental Association.**—It was the sense of the Council that the California State Dental Association be invited to exhibit at our annual session if space is available.

**40. Western Urological Association.**—It was the sense of the Council that the Western Urological Association be invited to let the exhibits they are to have at the Del Monte Hotel just prior to our meeting remain in place during our session, provided space in the Section for Scientific Exhibits be available.

**41. California Medical Association Forestry Service.** After discussion the Council ordered that the activities in regard to the Forestry Reserve be carried on through the Central Office of the Association.

It was moved by Howard Morrow, seconded by George Reinle, that the Secretary of the Association act as chief medical officer of the California Medical Association Forestry Service. Carried.

**42. Amendment to Employees' Compensation Act.**—The Secretary reported that the United States Employees' Compensation Act, Section 40, had been amended to include in the term "physician" in services rendered to federal employees, osteopathic practitioners within the scope of their practice as defined by State law.

Doctor Schaupp reported that the Agricultural Workers' Health and Medical Association limited itself to physicians and surgeons who were eligible to membership in their county medical societies.

**43. X-Ray Service.**—It was reported that the United States Public Health Service had contemplated an x-ray service at the Golden Gate Exposition, but after further consideration the matter had been dropped. Doctor Morrow reported that the California State Board of Public Health had discouraged the plan.

**44. Balopticon Lanterns.**—The Secretary reported on the lanterns for use at the annual session, stating that all were in order. One was especially designed for use for long-range lantern-slide display and one for opaque display, and that the other six were for use in the ordinary size section room.

**45. Councilor Expense.**—After discussion, it was moved by William H. Kiger, seconded by Charles A. Dukes, that councilors and officers of the Association be allowed \$5 per day, plus round-trip fare and lower berth, for authorized meetings or conferences on Association business held at places other than their immediate home communities. Carried.

**46. Reprint Costs.**—A letter from a member of the Association asking for a reduction in the price of reprints for quantity order was presented.

It was moved by Charles A. Dukes, seconded by Lowell A. Goin, that the matter of price of reprints in quantity lots be left to the judgment of the Secretary. Carried.

**47. Council Meeting.**—It was moved by Charles A. Dukes, seconded by Alfred L. Phillips, that the next meeting of the Council be held in Los Angeles in January, the exact time to be set by the Chairman of the Council. Carried.

It was stated that the date and place of the conference of county society secretaries with councilors and members



of standing committees would be decided later, possibly in late January or early February, Doctor Harris, Chairman of the Committee on Public Policy and Legislation, to be consulted in regard to the best time for holding the meeting.

**48. Medical Economic Survey.**—It was moved by Charles Dukes, duly seconded, that a copy of the California Medical Economic Survey be sent to each state medical society and each State Board of Health. Carried.

**49. California Medical Economic Survey.**—A letter from a member was read in which request was made that the full report as submitted by the Survey Director, be sent to him for perusal.

It was the sense of the Council that any member who desired to see the voluminous original report of the Director of the California Medical-Economic Survey be informed that it was open for inspection in the Association office in the city of San Francisco.

**50. Registration of Physicians' Licenses.**—The matter of legal right of a physician to practice and collect fees from patients residing in an adjoining county, wherein his certificate had not been registered was discussed (in relation to a letter received from a member who suggested a legislative amendment to make such registration unnecessary).

It was moved by William Roblee, seconded by Henry Rogers, that physicians be advised to register their licenses according to the requirements of the existing law. Carried.

**51. "Thirty-Dollar Thursday Plan."**—The proposed pension, known as "Thirty-Dollar Thursday," was presented for informative purposes. No action was taken.

**52. Retired Membership Forms.**—The Secretary was authorized to revise the present retired membership blanks to include therein the stipulations concerning "retired members," as contained in Article IV, Section 1 (c) of the Constitution of the California Medical Association.

**53. Herzstein Bequest.**—The Secretary reported that a full report on the income from the Herzstein Bequest had been filed with the Association by the Wells Fargo Bank and Union Trust Company and was open for inspection at the Association offices.

**54. Editorial Policy.**—It was the sense of the Council that the Editor was authorized to edit copy received for publication in the JOURNAL as provided in Item 13 of the Council's pamphlet, "Suggestions to Authors," and the action taken in not printing certain resolutions in recent numbers because of Association policy and interests, as recommended by the Executive Committee, be approved.

**55. Four Fifty Sutter Building.**—The Secretary stated that he had made request of the Four Fifty Sutter Building for additional storage space, and that the corporation had generously alloted one-half of what was formerly the office of the Cancer Commission, without increase in present rent.

It was moved by T. Henshaw Kelly, seconded by P. K. Gilman, that a letter of appreciation be sent to the Four Fifty Sutter Corporation. Carried.

**56. Recess.**—At this point a recess was taken for luncheon.

**57. Call to Order.**—After the noon recess the Council was called to order by Chairman Schaupp.

**58. Policies of Association.**—It was moved by William H. Kiger, seconded by T. Henshaw Kelly, that the "Report of Special Committee Concerning Policies of the Association" be considered. Carried.

It was moved by Carl Howson, seconded by T. Henshaw Kelly, that the name of the "Committee Concerning Policies of the Association" be changed to read: "Special Committee Concerning Statement of Policies of the Association"; and secondly, that the Secretary be empowered to receive the report of the Committee and carry out its instructions. Carried.

The Committee named includes: George G. Reinle of Oakland, Chairman; W. W. Roblee, Riverside; Lowell S.

Goin, Los Angeles; C. A. Dukes, Oakland; and J. B. Harris, Sacramento.

It was moved by Carl R. Howson, seconded by A. E. Anderson, that the Committee meet and announce the policies and that each member of the Council receive a copy of such announcements for consideration and suggestions prior to formal printing and distribution. Carried.

**59. Office Assistants.**—It was moved by William W. Roblee, seconded by Charles A. Dukes, that the question of office assistants be reconsidered. Carried.

After discussion of the additional clerical work in the Association offices in connection with postgraduate activities, legislation and various committees, it was moved by William W. Roblee, seconded by Charles A. Dukes, that the former action of the Council, on October 1, be rescinded. Carried.

It was moved by William Roblee, seconded by T. Henshaw Kelly, that the Secretary at his discretion employ an additional stenographer at a starting salary of not to exceed \$125 per month. Carried.

**60. American Medical Association Annual Meeting.** The Secretary stated that Dr. Alanson Weeks, Treasurer of the Local Committee on Arrangements for the 1938 annual meeting of the American Medical Association, had sent a refunder check for one thousand dollars (\$1,000) which had been donated by the California Medical Association for entertainment of the national organization during its meeting in San Francisco.

It was moved by T. Henshaw Kelly, seconded by P. K. Gilman, that a letter of appreciation, in the name of the Council, be sent the Local Committee. Carried.

**61. Minutes of Council.**—The minutes of the annual organization meeting of the Council held on May 12, 1938, previously approved by the Council, were presented as edited for publication by the vice-chairman and the president, and, there being no objection, said minutes as edited were approved for publication.

The minutes of the special meeting of the Council held on June 11, 1938, were thereupon presented by the Committee of Two, previously appointed, for approval and, there being no objection, were approved. Said minutes of the special meeting held on June 11, 1938, as edited for publication by the Committee, were thereupon presented and, there being no objection, said minutes as edited were approved for publication.

**62. Minutes of the Executive Committee.**—It was moved by T. Henshaw Kelly, seconded by Charles A. Dukes, that the minutes of the one hundred and sixty-fifth meeting of the Executive Committee on August 13, 1938, be approved as read by the Chairman.

**63. Report on Transfer of Association Records and Change in Administrative Offices.**—The Chairman then requested General Counsel Peart to present the report of the Council Chairman in the matter of change in the position of Secretary-Treasurer, who then read to the Council the report of Dr. Karl L. Schaupp, Chairman of the Council, dated June 6, 1938, and in connection therewith Mr. Peart presented to the Council the several documents attached thereto as follows:

(a) Written direction of the Council to effect settlement with Dr. F. C. Warnshuis.

(b) Audits of the books and records of the California Medical Association and Trustees Of The California Medical Association as of June 30, 1938, prepared by the Association's accountants, Messrs. Ernst & Ernst.

(c) Release dated June 30, 1938, F. C. Warnshuis to California Medical Association et al.

(d) Resignation dated June 30, 1938, of Dr. F. C. Warnshuis as a member, director, and secretary of Trustees Of The California Medical Association.

(e) Copy of receipt dated June 30, 1938, from Dr. Karl L. Schaupp, as chairman of the Council, to Dr. F. C. Warnshuis for the property, books and records of the Association.

(f) Copy of receipt dated June 30, 1938, from Dr. Karl L. Schaupp, as treasurer of Trustees Of The California Medical Association, to Dr. F. C. Warnshuis for the property, books and records of Trustees Of The California Medical Association.

On motion duly made, seconded and unanimously carried, the following resolutions were adopted:

**Resolved**, That the action taken by individual members of the Council comprising all but three members thereof, in authorizing the settlement made with Dr. F. C. Warnshuis as set forth in the report of the chairman of the Council, dated July 6, 1938, be and the same is hereby ratified, approved and confirmed; and be it further

**Resolved**, That the acts and proceedings of Dr. Karl L. Schaupp, as chairman of the Council, in effecting said settlement as set forth in said authorization and in his said report and each thereof be and the same are hereby ratified, approved and confirmed.

**64. Letter from Former Association Secretary.**—1. A letter dated June 30, 1938, from Secretary F. C. Warnshuis and addressed to the chairman and members of the Council and dealing with California Medical Association activities was presented for consideration.

It was moved by T. Henshaw Kelly, seconded by J. B. Harris, that the letter from F. C. Warnshuis on Association activities be ordered filed. Carried.

2. A second letter, dated June 22, 1938, from Secretary F. C. Warnshuis and addressed to county presidents and secretaries and dealing with California Medical Association activities, was also presented.

Legal Counsel Peart requested permission to file a report in answer to the statements made in the letters.

Editor Kress also requested permission to file a report covering statements made in regard to CALIFORNIA AND WESTERN MEDICINE.

It was moved by T. Henshaw Kelly, seconded by J. B. Harris, that the replies of the General Counsel and the Editor to statements made in regard to the legal department in the letter of Doctor Warnshuis on Association activities be mailed to each member of the Council. Carried.

**65. Special Conference Committee.**—Doctors Rogers and Packard inquired as to the scope of activities and the powers of the newly appointed committee to confer with Farm Bureau representatives.

It was moved by J. B. Harris, seconded by Charles A. Dukes, that the oral report of the Committee, as submitted by Doctor Packard, be accepted and the Council express its confidence that this committee will proceed along the lines outlined. Carried.

**66. County Hospital Committee.**—Doctor Packard reported on the work that he had carried on in connection with the County Hospital Committee and his travels throughout the state.

The Secretary was instructed to send to Doctor Packard a copy of the regulation expense blank, which would be filled out by Doctor Packard and submitted to the Auditing Committee for approval.

**67. California Unemployment Reserves Tax, Federal Income Tax, Federal Social Security Tax, Capital Stock Tax.**—Mr. Howard Hassard, assistant to the General Counsel, explained the recent ruling made by the Treasury Department of the United States in granting exemptions to the Association from income tax and capital stock tax, upon the basis that the Association constitutes a "business league"; also advising the Council that this ruling would subject the Association to the Federal Social Security Act and the California Unemployment Reserves Tax Act, but would not subject it to the Federal Capital Stock Tax Act or the Federal Income Tax Act. The General Counsel supplemented this report with a detailed written report, dated September 27, 1938, which was filed with the Association Secretary.

**68. Indemnity Policies of Insurance Companies.**—(a) The General Counsel presented a letter addressed to him by Dr. L. H. Garland of San Francisco, dated Sep-

tember 23, 1938, requesting the General Counsel to take up with Pacific Employers' Insurance Company certain amendments to its policies dealing with hospital and medical benefits.

On motion of Charles A. Dukes, seconded by J. B. Harris, Doctor Garland's letter was referred to the General Counsel for further consideration and consultation, and report back to the Council.

**69. Medical and Hospital Indemnity Insurance.**—The General Counsel referred to his report on medical and hospital indemnity insurance and suggested that the report be referred to the Special Conference Committee.

There being no objection it was so ordered.

**70. Pacific Health Corporation.**—The General Counsel reported that the Supreme Court of California, by a four to three decision, had decided the case of *People vs. Pacific Health Corporation*, and that the decision of the Court affirmed the previous decision of the trial court, which was to the effect that Pacific Health Corporation had no right or power legally to furnish to its members the services of physicians and surgeons. The General Counsel stated that this decision firmly establishes that capital stock corporations may not designate, appoint or otherwise control the selection of physicians by patients.

**71. Butterworth versus Boyd.**—The General Counsel reported that this case, involving the constitutionality of the San Francisco Charter amendment authorizing the city employees to establish a health service system, had been decided and the constitutionality of the amendment upheld in a six to one decision.

It was moved by T. Henshaw Kelly, seconded by Carl Howson, that the General Counsel be instructed to prepare and present to the Council an opinion analyzing for the information of the Council the San Francisco Charter amendment as affected by the decision in *Butterworth vs. Boyd*, and Plan No. 1 as now in operation. Carried.

**72. Graun versus Harder.**—The General Counsel stated that at the present time this case was quiescent.

**73. Engleking versus Carlson.**—Mr. Peart stated that this case, involving application of *res ipsa loquitur* doctrine, would come up for hearing next week and he was associated with the attorneys for the insurance company and would personally make the argument.

**74. Legislation.**—The General Counsel requested that he be furnished, at the earliest possible moment, with memoranda concerning any proposed legislation.

It was the sense of the Council that a letter should go out to the county societies advising them that all proposed legislation should be submitted at an early date to the Committee on Public Policy and Legislation.

**75. Osteopathic Physician Cases.**—Mr. Peart outlined the situation in Visalia in regard to the demand of an osteopathic physician to be allowed to practice in the municipal hospital, and referred to a decision rendered by the United States Supreme Court in which that court held that an osteopathic physician in Galveston, Texas, had no constitutional right to practice in the Galveston municipal hospital. Mr. Peart also reported with respect to the status in the case of *Jordt vs. State Board of Education*, which is a mandamus proceeding by an osteopathic physician, brought by the osteopathic physician for the purpose of forcing the State Board of Education to grant to him a health and development certificate. Mr. Peart stated that, in his opinion, the United States Supreme Court decision above referred to, and several other decisions in other states, might well be held by the California court to preclude the granting of a writ of mandamus. Mr. Peart pointed out, however, that the case was not as yet decided and hence no formal opinion on its merits was proper at this time.

**76. Uniform Compensation Medical Report Blanks.**—The General Counsel stated that he had taken up with the president of the Casualty Attorneys' Claims Association



the desirability of the adoption of a uniform medical report blank for all compensation insurance carriers.

77. **Kings County Hospital**—It was moved by Lowell S. Goin, seconded by C. A. Dukes, that the bill of Mr. Siemon for services rendered in connection with the county hospital situation, in the amount of \$67.50, be paid. Carried.

78. **Fresno City Physician**.—The General Counsel reported that he had rendered an opinion to Doctor Anderson, at his request, on a type of contract practice being carried on in the care of city employees at Fresno.

79. **Malpractice Insurance Policies**.—Mr. Peart stated that his office had furnished the Surplus Line Brokers' Association with comments on their proposed rider which is to be attached to policies issued by underwriters at Lloyd's, in London, regarding "surgery," but that, in the absence of instructions from the Council, no opinion had been rendered with respect to the merits or advisability or the subject matter of the proposed rider.

80. **Adjournment**.—There being no further business, on motion of Lowell S. Goin, seconded by William H. Kiger, the meeting adjourned.

KARL L. SCHAUPP, *Chairman*.  
GEORGE H. KRESS, *Secretary*.

## C. M. A. DEPARTMENT OF PUBLIC RELATIONS†

**Subject: Concerning Neon Signs as a Means of  
Advertising—"Principles of Medical Ethics"**

*(Copy of an opinion given by Legal Counsel  
Hartley F. Peart)*

San Francisco, California,  
October 14, 1938.

Arthur E. Varden, M.D., Secretary,  
San Bernardino County Medical Society,  
San Bernardino, California.

Re: Use of Neon Sign by Physician; Principles of Professional Conduct.

Dear Doctor:

In regard to the above subject, I have now had an opportunity to examine the Constitution and By-Laws of the San Bernardino County Medical Society in order to determine whether or not a physician who erects a neon sign in front of his office may be considered to be infringing any principles of medical ethics applicable to members of the San Bernardino County Medical Society.

For the purpose of this opinion, I am assuming the facts to be as stated in your letter of October 8, viz: that a member of the Society has erected a large neon sign in front of his office which is located on one of the main streets of the town and that he does not live at his office and the sign burns until late at night. You will understand that my opinion necessarily will be predicated upon the foregoing being the actual facts.

Neither the Constitution nor the By-Laws of the San Bernardino County Medical Society contain any specific principles of professional conduct. The only provisions which relate to professional conduct are the following:

Section 4 of Chapter I of the By-Laws, which adopts the *procedure* for disciplining a member set forth in the By-Laws of the California Medical Association. Subdivision (D) of Section 4 of Chapter I of the By-Laws does provide that anyone who violates any of the provisions of

the Constitution or By-Laws or Principles of Professional Conduct of the San Bernardino County Medical Society shall be liable to censure, suspension, or expulsion. Thus, principles of professional conduct are referred to as though they were in existence (if so, they do not appear in the By-Laws). Section 4 of Chapter VII of the By-Laws creates a committee on professional conduct, which committee has the duty of investigating and arbitrating, if possible, all disputes relating to professional conduct. This committee also has, under said Section 4, certain duties in regard to malpractice actions. In this section, principles of professional conduct are again mentioned as though they did exist, but are not set forth.

It appearing that the By-Laws of the Society do not contain any detailed principles of professional conduct, it is necessary in order to determine those principles which are to govern the members to turn to the By-Laws of the California Medical Association which govern all component county societies and the members thereof. Chapter II, Section 2, Subdivision (D), of the By-Laws of the California Medical Association (at page 23 of printed By-Laws), provides that any active member of a component county society who has been adjudged guilty (under the procedure set forth in Section 3, Chapter II of said By-Laws), of a violation of any of the provisions "of the principles of medical ethics promulgated from time to time by the American Medical Association" shall be subject to censure, suspension or expulsion by such component county society. Therefore, we must look to the principles of medical ethics of the American Medical Association in order to find the rules of professional conduct which govern members of the San Bernardino County Medical Society.

Section 4 of Chapter II of the Principles of Medical Ethics of the American Medical Association is entitled "Advertising" and a portion of said section reads as follows:

Solicitation of patients by physicians as individuals, or collectively in groups by whatsoever name these be called, or by institutions or organizations, whether by circulars or advertisements, or by personal communications, is unprofessional. This does not prohibit ethical instructions from a legitimate advertisement of location, physical surroundings and special class, if any, of patients accommodated. It is equally unprofessional to procure patients by indirection through solicitors or agents of any kind, or by indirect advertisement, or by furnishing or inspiring newspaper or magazine comments concerning cases in which the physician has been or is concerned. . . . The publication or circularization of ordinary simple business cards, being a matter of personal taste or local custom, and sometimes of convenience, is not *per se* improper. As implied, it is unprofessional to disregard local customs and offend recognized ideals in publishing and circularizing such cards.

It is unprofessional to promise radical cures, to boast of cures and secret methods of treatment or remedy; to exhibit certificates of skill or of success in the treatment of diseases; or to employ any methods to gain the attention of the public for the purpose of obtaining patients.

Whether or not the use of a neon sign in front of a physician's office on the main street of a community constitutes the employment "of any methods to gain the attention of the public for the purpose of obtaining patients" is, of course, a question of interpretation of said Section 4 of Chapter II. It is not my function, in advising county societies with respect to procedure, to indulge in any opinion with respect to the proper interpretation of any of the principles of medical ethics. That problem is one which rests solely with the various county societies, the California Medical Association and, if need be, the Judicial Council of the American Medical Association. I am merely calling to your attention the particular principles of ethics involved and the question to be decided.

I note from your letter and the enclosed copy of a letter from the County Society dated October 5, that the San

† The complete roster of the Committee on Public Relations is printed on page 2 of the front advertising section of each issue. Dr. George G. Reinle of Oakland is the chairman and Dr. George H. Kress is the secretary. Component county societies and California Medical Association members are invited to present their problems to the committee. All communications should be sent to the director of the department, Dr. George H. Kress, Room 2004, Four Fifty Sutter Street, San Francisco.

Bernardino County Medical Society evidently has or contemplates establishing a "rule" with respect to the use of neon signs. If it is the intent of the Society by means of a "rule" or "resolution" to endeavor to establish a principle of professional conduct applicable to the use of neon signs, it is my opinion that such procedure would be very dangerous from the legal point of view. To explain, in the eyes of the law a member of the medical society is bound to observe the Constitution and By-Laws regularly adopted of his Society. If he fails to abide by the Constitution or By-Laws, he may be suspended from membership or expelled, after a full hearing conducted in accordance with the rules of procedure of the Society. Whether or not violation by a member of a simple rule or resolution adopted at a general meeting *which is not part of the Constitution and By-Laws* can be the subject of disciplinary action, is very questionable. Therefore, if the Society contemplates a specific rule of professional conduct relating to neon signs, it is my opinion that such rule should be presented to the membership in the form of an amendment to the By-Laws of the Society, and if adopted, should be adopted in the manner required by the By-Laws (Chapter X) for amendments thereto.

In regard to the matter of adopting rules of conduct by means of resolutions, it is my recollection that the Judicial Council of the American Medical Association recently, by letter, expressed its opinion not recommending such practice. In this connection, see *CALIFORNIA AND WESTERN MEDICINE*, May, 1938, pages 364-365, and note the letter quoted under the heading: "Resolutions Establishing Principles of Ethics and Conduct," particularly the last paragraph thereof.

If I may be of any further assistance to you, please feel free to call upon me.

Very truly yours,

HARTLEY F. PEART.

111 Sutter Street.

**Subject: An Example of Coöperation Rendered by a County Auxiliary in Work Against the "State Humane Pound Act"—Initiative No. 2**

California Medical Association,  
San Francisco, California.

*Dear Doctors:*—The Woman's Auxiliary to the San Diego County Medical Society wishes to assure you that they are anxious to coöperate with you in any way possible to educate the laity in regard to the "State Humane Pound Act."

The Legislative Committee of the Auxiliary, under the leadership of Mrs. W. M. Alberty, have been working actively for four weeks, contacting as many organizations as possible, arranging for speakers and distributing informative pamphlets.

We will hold our annual Health Institute on November 1. At each of the two meetings a doctor will speak on the "State Humane Pound Act." We expect a good attendance because our Institute has been made a Teacher's Institute by Mr. Crawford, superintendent of the San Diego schools. A copy of the program and a Pound Act pamphlet will be handed to every member of the Young Women's Christian Association Business Girls' Clubs.

We had a booth for this purpose at the San Diego County Fair at Del Mar last week. There was a two thousand word article against the Pound Act in the last Parent Teacher's Association *Courier* which has a circulation of nine thousand. There will be a similar article in the *County Graphic* which has a circulation of 83,000. There will be a paid advertisement in the *Thursday Club Bulletin* this month. There was a talk given at the last meeting of the Woman's Civic Center.

Twenty-five thousand pamphlets have been distributed among patients and members of women's clubs.

Seventy-two Parent Teacher's Associations have been contacted, thirteen P. E. O. Chapters, ten Delphian Clubs, the Jewish Women's Societies, all of the auxiliaries to the Veterans of Foreign Wars, Catholic Women's Societies, twenty women's clubs, Junior League, National Business and Professional Women, Soroptomists, all Masonic Women's Organizations, the Pan-Hellenic Group and the Women's University Club.

We shall be very happy to receive any suggestions which you may have to offer.

Sincerely,

(MRS.) H. D. NEWTON,  
Secretary.

**COMPONENT COUNTY MEDICAL SOCIETIES**

**CONTRA COSTA COUNTY**

The Contra Costa County Medical Society met on Tuesday evening, October 11, at the American Legion Hall in Walnut Creek. The Auxiliary joined the Society to hear Dr. A. M. Meads of Oakland discuss *Anuria and the Urologist*, and Dr. Carson Hunt of Oakland, who read a short paper on *An Explanation of Binocular Vision, Simplified*.

The Society voted its endorsement of the antivenereal disease campaign being launched in Richmond. Doctor Daily explained the organization of the campaign and its management by a citizens' committee with generous representation of the medical profession. Dr. J. C. Dement of the Venereal Disease Division of the State Department of Public Health explained the state-wide campaign against venereal disease and its relation to the local program. Doctor Condit, also of the State Department, and recently appointed syphilologist to conduct the venereal disease clinic at the Richmond Health Center, explained the plan of clinic management.

A committee of twelve, one member from each community in the county, was appointed to work with a like committee from the Auxiliary in distributing literature to be supplied by the California Society for the Promotion of Medical Research in the current campaign to defeat the "State Humane Pound Act," Initiative Proposition No. 2, on the November 8 ballot. The secretary of the county medical society will act as executive head of the committee.

The next meeting, to be held on November 8 at the Carquinez Hotel in Richmond, will be the annual business meeting, at which time officers for the coming year will be elected. The president, Doctor Marks, appointed Doctors Ford, Weil, and Hedges a nominating committee, to report at the November meeting.

Doctors Daily, Fraser, and McCullough were appointed a committee to arrange for the Society's annual Christmas party in December.

THOMAS J. DOZIER, Secretary.



**SACRAMENTO COUNTY**

The regular meeting of the Sacramento Society for Medical Improvement was called to order by the president, Dr. Dave Dozier, on September 20, at the Auditorium, on Twenty-ninth and L streets. Seventy-two members and guests were present.

Dr. Harry Blackfield of San Francisco presented the paper of the evening. Doctor Blackfield gave a very instructive talk on *Plastic Surgery in General Practice*, stressing particularly plastic traumatic surgery of the face and of the hands. Lantern slides of the various types of skin grafts were shown. The discussion was opened by Dr. F. MacDonald and continued by Drs. R. Wallerius and D. Dozier.

Dr. J. B. Harris presented a case of *Scirrhus Carcinoma of the Thyroid* with marked skeletal metastases.

The applications for membership of Drs. A. F. Wallace and Curtis H. McDonnell were read for the first time.

Dr. Dave Dozier gave an oral report on the action taken in regard to the Pacific Employers' Insurance Company policy for the state employees. After some discussion by Doctor Wallerius, a motion was made and so passed that we submit the medical fee schedule of this company to the Council of the California Medical Association for its consideration.

Dr. F. F. Gundrum discussed the function of the *Medical Society of the State of California* and the value of its purposes to members of the California Medical Association.

G. E. MILLAR, *Secretary*.

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#### SAN JOAQUIN COUNTY

The regular meeting of the San Joaquin County Medical Society was held on Thursday, October 6, in the clubrooms of the Medico-Dental Building. The regular meeting was preceded by the customary supper meeting at the Hotel Wolf at 6:30 p. m. Seventeen members and guests were present. J. W. Barnes of Stockton read a paper on *Undulant Fever*, sketching the history, symptoms, diagnosis and treatment, which was extremely interesting and very well received.

The business meeting was called to order by the president, A. C. Boehmer, at 8:15 p. m. The applications of Doctors Lamb, Dietrich, and Faulkner having been favorably reported upon by the Admissions Committee, and there being no objections from the floor, they were declared elected to membership in the San Joaquin County Medical Society.

Dr. C. A. Broadus reported on the progress of the Post-graduate Committee work. A progress report was made on the new By-Laws and Constitution by the committee drawing up the same.

P. J. Hanzlik, Professor of Pharmacology at Stanford University, presented a paper on *Bismuth in the Treatment of Lues*. The paper was illustrated by lantern slides and blackboard drawings and was very instructive, and received considerable discussion from the floor.

There being no further business to come before the Society the meeting was adjourned at 10 p. m. and refreshments served.

G. H. ROHRBACHER, *Secretary*.

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#### SAN MATEO COUNTY

The meeting of the San Mateo County Medical Society was held at Pier 33, 1447 Burlingame, Burlingame, on September 28.

Doctor Ray announced that an application for membership had been received from Dr. Ivan T. Budaeff.

The secretary read a resolution concerning legislation directed toward compulsory premarital and prenatal tests for the detection of syphilis and gonorrhea which had been passed by the Board of Directors. There was some discussion of this resolution and Doctor Murphy suggested that further study of the problem should be made before the Society passed on the resolution. Accordingly, the president announced that a committee would be appointed to study the subject and report back to the Society at a subsequent meeting.

Doctor Gregory reported on a letter which had been received from the San Mateo County Tuberculosis and Health Society concerning the establishment of diagnostic chest clinics at Community Hospital. The Society voted

against the establishment of such clinics, feeling that they would be unnecessary at this time.

The secretary announced that arrangements had been made to establish clinics throughout the county to supplement the work of the out-patient department of the Community Hospital. It was decided to have a rotating service, each doctor to be assigned for a period of three months, with the two following doctors on call during his period of service.

The question of physical examinations for public school children, which involved to some extent the whole issue of the public school health problem, was brought up and discussed by Doctor Knorp. After considerable discussion it was decided to refer the matter to the Public Health Committee for a report at the next meeting.

Dr. Karl Schaupp, the guest of the evening, was next introduced and gave a talk on the question of *Medical Insurance and the Set-up Now in Operation in San Francisco, Known as the City Health Service System*. Doctor Schaupp seemed to feel that Dr. Walter B. Coffey had done a great deal for the organized medical profession in connection with this proposition and also in connection with other matters in the past. He seemed to feel that organized medicine should cooperate with whatever groups or organizations supplying medical care on an insurance basis, whether lay groups or otherwise, until it (organized medicine) had something better to offer. He intimated that a study was being made at the present time concerning a plan which might be introduced at the next session of the legislature.

Following Doctor Schaupp's talk there was considerable discussion, especially on the part of Dr. Carl Hoag, in connection with the City Health Service System in San Francisco. The Society finally voted in favor of supporting the action of the San Francisco County Medical Society in connection with the City Health Service System in so far as the operation of this system affected the physicians practicing in San Mateo County.

J. GARWOOD BRIDGMAN, *Secretary*.

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#### SOLANO COUNTY

The Solano County Medical Society held a meeting in Vallejo on September 20.

Dr. Carlton C. Purviance, who has recently returned from Europe where he went with Doctor Eloesser to work for the American Hospital in Spain, and who visited in France, Germany, Austria, and Hungary, gave a very interesting talk on *Observations on Social Medicine* and the manner in which it works in those countries.

Applications for membership have been received from Dr. A. Frank Brewer, who has recently been appointed full-time health director in this county, and from Dr. H. Randall Madeley, who has come to Vallejo.

Dr. A. Frank Brewer will be the speaker at our next meeting at the Casa de Vallejo Hotel, to be held on Tuesday night, October 11.

JOHN W. GREEN, *Secretary*.

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#### TULARE COUNTY

The regular monthly meeting of the Tulare County Medical Society was held in the dining room of Motley's Café in Visalia on the evening of October 2 at seven o'clock.

Dr. Vern Mason of Los Angeles presented the main discussion of the evening. The subject had to do with rare and unusual diseases, their etiology, progress, and treatment. He talked upon *Ulcerative Colitis* and the allied conditions. He discussed acute disseminated erythematous lupus. There was a general discussion upon the subject of coccidioides and erythema nodosum.

Following the main address an informal round-table discussion was held concerning matters of importance to the members of the Society in general. A motion was made by Doctor Guido, and seconded by Doctor Ambrose, that two monthly meetings each year be devoted to matters pertaining to organization problems of the Society. The motion was unanimously carried. Questions of drug-store practice of medicine was considered. The question of fee schedule was discussed. It was recommended that members send suggestions to President Zumwalt concerning matters that they would like to have brought up at the next medical meeting.

IRVIN H. BETTS, *Secretary Pro Tem.*

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#### VENTURA COUNTY

The regular meeting of the Ventura County Medical Society was held at the Saticoy Country Club at Saticoy on Tuesday, September 13.

There were fourteen members present. The guests present were: Dr. and Mrs. John M. Askey of Los Angeles, Dr. and Mrs. Henderson and Dr. and Mrs. Markthaler of Santa Barbara, Dr. and Mrs. Harker and Dr. and Mrs. T. K. Miller of Oxnard, and Mesdames Coffey, Felberbaum, Strong, Mosher, Gronhovd, Porter, Garrett, D. G. Clark, and Morrison.

Doctor Askey addressed those present on the *Humane Pound Law*. Mrs. Henderson and Mrs. Markthaler spoke on *The Aims and Objectives of the Woman's Auxiliary*.

The names of Drs. T. K. Miller of Oxnard and James Moore of Ventura were presented for membership and their applications were turned over to the Board of Censors.

A brief report of the progress of the public Health Advisory Committee was given by the secretary. Doctor Wylie asked whether there would be any objection on the part of the Society if the Health Department made Wassermann tests on anyone who desired; these tests to be made for diagnostic purposes only, and those with positive reactions to be sent to their private physician for treatment.

The regular meeting of the Ventura County Medical Society was held at the Saticoy Country Club on Tuesday, October 11.

There were eighteen members present. The following guests were present: Dr. Arnold Kegel of Los Angeles; Drs. Daly, Fullenlove, and Witten of the County Hospital; Dr. Helen M. Bruckman of the Ventura School for Girls; Dr. R. K. Harker of Oxnard; and Dr. E. R. Cizor of Camarillo.

Dr. Arnold Kegel gave a résumé of the *Third International Goiter Conference* which was recently held at Washington, D. C.

Dr. James Moore and Dr. Theo. K. Miller were unanimously elected to membership in this Society. The names of Dr. Helen Bruckman, a transfer from Santa Clara County, Dr. Thomas M. Fullenlove, a transfer from Pike County, Kentucky, and Dr. R. K. Harker of Oxnard, a new member, were presented for the first time.

Doctor Homer made a motion that the Society go on record against the "Humane Pound Law," and that this decision be published in the various newspapers throughout the county, with the pertinent reasons on why we oppose the Initiative Act. The motion was seconded, and carried.

Announcement of the general meeting to be held at Saticoy, under the auspices of the Public Health Advisory Committee, was made by the secretary.

It was called to the attention of the members by the president that there were several insurance companies writing a broad form of health and hospitalization insurance in the county; these policies offering only a limited

amount for sickness. Also that there had been several instances where the representative has attempted to force settlement for an amount less than their stipulated fees.

Doctor Homer asked what type of programs the members would like, and stated that the Program Committee would be glad to secure the type desired.

A. A. MORRISON, *Secretary.*

#### CHANGES IN MEMBERSHIP

##### New Members (69)

###### Alameda County

Gerald Harry Gray	Henri A. Sheffoff
Albert Miles Griffin	Bernice I. Swenson
Vivian Hamilton	Ossie F. Wilmeth

###### Kern County

Roderick A. Ogden	Lloyd N. Tarr
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###### Los Angeles County

Anthony Ariana	James H. Macauley
John W. Beeman	Henry Joseph Magid
Herbert C. Behrens	John G. Manning
Harold Carroll Bernstein	Abner Jules Moss
Lewis Wine Bremerman	Aumond D. Myers
Kenneth Allen Crimson	Jesse Blain Naftzger
Isaac F. Crosby	Arcadio Tigrío Obando
Robert A. Cunningham	Lester A. Riskind
E. H. Daniels	Julius Lewis Samuels
Roderick P. Deakers	Nathan A. Sapiro
William E. Delphey	Adele S. Schmidt
Benjamin Einhorn	Percy K. Telford
R. Bruce Eldredge	Stanley James Walters
John Marshall Fernald	Walter Williams
Charles A. Gallup	Ashby C. Willmott
Garland F. Garrett	Leon Z. Wolpe
Alvin V. Gerty	Franklin Earl Woodhull
Glen Earl Glasgow	Warner Richard Wright
George E. Hall	Harry Arthur Zide
Clarence M. Leggitt	

###### Merced County

V. S. Briden	J. J. McNearney
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###### San Bernardino County

Frances Franklin

###### San Diego County

Mathew Howard Ames	David A. Pohlman
Ralph L. Hoffman	

###### San Francisco County

Earl W. Escher	Roland Foster Marks
Samuel A. Goldman	John E. Paulson
Albert L. Leveton	James Francis Shea
Ernest G. Lion	William A. Sumner
Peter Manjos	Francis E. West

###### San Joaquin County

Edward Faulkner

###### Santa Cruz County

Sheldon K. Wirt

###### Siskiyou County

Wilbur C. Hayden	Richard W. Jones
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###### Stanislaus County

Ernest A. Weizer

###### Ventura County

James W. Moore

##### Transferred (2)

Everett M. Stone, from San Diego County to Riverside County.

Frederic D. Ullrich, from Riverside County to San Diego County.

## In Memoriam

**Abraham, Vestal Raul.** Died at Los Angeles, October 10, 1938, age 53. Graduate of Rush Medical College, University of Chicago, 1913. Licensed in California in 1929. Doctor Abraham was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

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**Dillon, Edward Thomas.** Died at Los Angeles, October 14, 1938. Graduate of the University of Southern California School of Medicine, Los Angeles, 1901, and licensed in California the same year. Doctor Dillon was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

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**Fredrick, Marcus White.** Died at Brentwood, September 4, 1938, age 77. Graduate of the Leipzig Universität Medizinische Fakultät, Saxony, 1888. Licensed in California in 1895. Doctor Fredrick was a retired member of the San Francisco County Medical Society, the California Medical Association, and the American Medical Association.

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**Jones, Wendall Ambrose.** Died at Riverside, September 20, 1938, age 64. Graduate of Ohio Medical University, Columbus, 1898. Licensed in California in 1915. Doctor Jones was a member of the Riverside County Medical Society, the California Medical Association, and the American Medical Association.

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**King, Joseph Millen.** Died at Los Angeles, October 7, 1938, age 66. Graduate of the University of Southern California School of Medicine, Los Angeles, 1895. Licensed in California in 1896. Doctor King was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

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**Lepper, Lawrence Ewald.** Died at Los Angeles, September 18, 1938, age 52. Graduate of the University of California Medical School, San Francisco, 1912, and licensed in California the same year. Doctor Lepper was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

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**Montgomery, Mary Freyer.** Died at San Francisco, August 30, 1938, age 40. Graduate of the University of California Medical School, San Francisco, 1925, and licensed in California the same year. Doctor Montgomery was a member of the San Francisco County Medical Society, the California Medical Association, and a Fellow of the American Medical Association.

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**Pierce, Sterling Newton.** Died at Los Angeles, September 30, 1938, age 51. Graduate of the College of Physicians and Surgeons, Los Angeles, 1917, and licensed in California the same year. Doctor Pierce was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

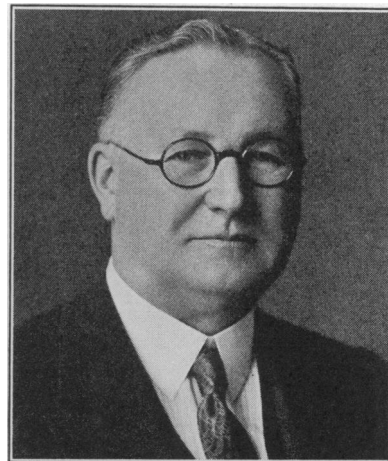
**Pindler, Louis Alden.** Died at Los Angeles, October 9, 1938, age 46. Graduate of New York University College of Medicine, New York, 1920. Licensed in California in 1921. Doctor Pindler was a member of the Los Angeles County Medical Association, the California Medical Association, and a Fellow of the American Medical Association.

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**Wickman, Herman John.** Died at Riverside, September 29, 1938, age 60. Graduate of the State University of Iowa College of Medicine, Iowa City, 1906. Licensed in California in 1923. Doctor Wickman was a member of the Riverside County Medical Society, the California Medical Association, and the American Medical Association.

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### OBITUARIES



**Joseph Millen King**  
1872-1938

At ten o'clock on Friday morning, October 7, 1938, Dr. Joseph M. King died suddenly while sitting in his automobile in front of his late residence at 1221 South Lake Street, Los Angeles. He was preparing to call upon a patient at the time. It was his sixty-sixth birthday.

To those who were intimate with him his death was not wholly a surprise, as it was known that he was suffering from coronary heart disease for several years.

Joseph Millen King was born near Bailie, Parish of St. James, New Brunswick. When he was twelve the family moved to Beaver Falls, Pennsylvania. Joseph did his premedical work at Geneva College, Pennsylvania. In 1889, with his people, he moved to San Diego County, California, where he taught school at Campo for two years. In the fall of 1892 he entered the College of Medicine, University of Southern California, graduating from the same on June 4, 1895. The school was then on Aliso Street, and the late Dr. Joseph P. Widney was the dean. Doctor King was licensed in 1896 and became a member of the County and State Medical Associations in April, 1898. He served as secretary of the County Association in 1904 and was president of the same in 1905, the youngest man who has ever been chosen to that position. He was president of the California Medical Association in 1933. He was a charter member of the Barlow Library. He was also a founder and later president of the Los Angeles Clinical and Pathological Society. During 1910 he was president of the Southern California Medical Association. He was professor of medicine during the first decade of the century at his Alma Mater while the school was on North Broadway, and was clinical professor of medicine at the time of his death. Doctor King did graduate work in medicine at

Johns Hopkins University in 1904 and at Vienna, Munich, and Berlin in 1912-1913. During the earlier years of his practice he shared offices with the late Doctors George L. Cole, Norman Bridge, H. B. Stehman, and Stanley P. Black.

Throughout his professional life Doctor King was a member of the staff of St. Vincent's Hospital. He was at one time chairman of the staff, and lectured for many years to the nurses in the training school. He was a member of the staffs of several other Los Angeles hospitals.

Doctor King led a very active life. He was an occasional contributor to periodical medical literature. He had a large private practice and was frequently called in consultation by his colleagues, who regarded him highly as an internist. Those who knew him well are proud to have been his friends. His forceful personality and sage counsel will be greatly missed by all.

E. M. PALETTE  
C. R. HOWSON

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### Marcus White Fredrick

1861-1938

The San Francisco County Medical Association lost an old and respected member in the recent passing of Doctor Fredrick at the age of seventy-seven years. His death occurred on his beautiful ranch at Brentwood, where he had spent the last eight years of his life since his retirement from practice. Doctor Fredrick was born in New York City, being brought West in early childhood to spend his boyhood around Virginia City, in Nevada. He left there at the age of eleven to attend the French Gymnasium at Berlin. Returning to this country he attended the University of California and then transferred to Harvard. Receiving a degree there, he returned to Europe to study medicine in Leipzig. He received his M. D. in 1888. He remained in Berlin, studying with the famous Koch and then worked for a year in the Royal Ophthalmic Hospital, Moorfields, and the Golden Square Nose and Throat Hospital in London. In 1890 he entered upon practice in Seattle. Staying but a short while, he returned to Vienna to study the eye and ear. He then went to London to the above-mentioned hospitals as an assistant. In 1895 he came to San Francisco, starting practice in his specialty. For over twenty years he was professor of diseases of the ear in the University of California Medical School. He retired from practice in 1930, at the completion of thirty-five years of active practice in this city. During that time he was oculist and aurist in the French Hospital.

Surviving him are his wife, Mrs. Pauline A. Fredrick, his son, Captain Robert T. Fredrick, U. S. A., and a daughter, Mrs. G. R. Andrews of Stockton.

H. M. F. BEHNEMAN.

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### Herman J. Wickham

1878-1938

Dr. Herman J. Wickman died at the Community Hospital on September 29, 1938, after a short illness. He was born on July 19, 1878, in New Hampton, Iowa, and was graduated from the University of Iowa, practicing there before he came to California twelve years ago. He settled in Perris and practiced there four years before coming to Riverside, where he practiced until his death.

He leaves a wife and two sons to mourn his death. In his passing, Riverside has lost a well-beloved and highly respected citizen. He was deeply sympathetic, and inspired hope and confidence in all with whom he came in contact.

The medical fraternity has lost a real friend, and he will be greatly missed in our community.

C. R. GEITH  
A. W. WALKER

### Wendall A. Jones

1874-1938

The passing of Dr. Wendall A. Jones came as a great shock and brought sadness to the hearts of all who knew him. Doctor Jones was born in Illinois on August 12, 1874, and died on September 20, 1938. He was graduated from the Ohio Medical University in 1898. He practiced in Ohio sixteen years before coming to Riverside. He served eighteen months in the Spanish-American War in the Philippines, and twenty-three months at Camp Kearney during the World War, later going to France. In 1922 he was appointed medical superintendent of the Riverside County Hospital on part time, holding this position for two years. In January, 1935, he was appointed full-time County Health Commissioner, holding this position until his death.

In many homes his kind ministrations during the hours of sickness and sorrow made him beloved by his fellow men. He went through life with the constant thought to do humbly and efficiently his work as a true practitioner. He was beloved for his gracious courtesy and broad tolerance of the views of others. He will be greatly missed in our community and especially to all members of the medical profession who knew him. He leaves a wife and four daughters and a brother to mourn his death.

C. R. GEITH  
A. W. WALKER

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### Mary F. Montgomery

1898-1938

A brilliant, searching mind ceased its many activities in the field of medicine in the recent tragic passing of this young colleague. Cut down at the young age of thirty-eight, with a promising career ahead, knowing for some time of her inevitable end, she maintained a remarkable philosophy and stoicism. Doctor Montgomery was graduated academically and medically from the University of California, interning at the San Francisco Hospital, and spending three years in Salt Lake City practicing internal medicine. Restless in the routine of practice, spurred on by an investigative mind, she turned to research because of its intellectual stimulus. In 1931 she received her Ph.D. in physiology at the end of her work with Doctors Carlson and Luckhardt of Chicago. Doctor Montgomery was assistant clinical professor of surgery at the University of California Medical School at the time of her death. Her outstanding work, aside from practice, was in the field of the function and control of the mucous glands of the mouth. This led to further valuable study on many aspects of the function of the salivary glands. She did extensive work on the effects of the barbiturates on bodily function, as well as the effect of large doses of irradiated ergosterol upon blood chemistry.

Her avocation was painting and music. She turned to the former in the last years of her life. Her passing on August 30 ended the needed activities of a brilliant student and truly scientific mind. I wish there were room here to print even a tenth of the eulogies given to me by the innumerable friends who remain to hold her in admiring and loving memory.

H. M. F. BEHNEMANN.

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### Sterling N. Pierce

1887-1938

An obituary notice of the usual type cannot be adapted to fit the present needs. No formal phraseology is adequate to describe the life of Sterling Pierce, and no stilted expressions of sympathy can picture the widespread heart-break at his untimely death.

The son of a pioneer Los Angeles family, his preliminary and medical education was acquired in his native state. After graduation from the University of Southern Cali-



fornia, and internship at the Los Angeles County General Hospital, he allied himself with the Medical Corps of the Navy, in which thereafter he maintained a Reserve commission. Following the hostilities he set himself earnestly to the acquirement of a broad obstetrical training. To this end he spent considerable time at the Chicago Lying-In Hospital, where he served as resident, and in several foreign centers. Throughout his activities the influence of Doctor deLee was readily discernible, for Sterling was an enthusiast in the use of local anesthesia and his skill in the handling of this agent was remarkable. Always willing to adopt new procedures and, if they proved satisfactory to his critical observation, then to advocate them with great enthusiasm. His was not an unconsidered effervescence but rather an appreciation of logical innovations. As an example, his adroitness with Kielland forceps was developed only after long and careful study. Only perfection in technique could satisfy him.

Of a highly critical nature, his criticism was directed chiefly at himself, almost never at others. Where his correction was necessary, Sterling usually pointed out the proper procedure by recounting a real or fanciful similar experience, and his instruction thus was absorbed without rancor. His willingness to extricate his fellow practitioners from their obstetrical difficulties was known to all. It is safe to say that few gave more fully of their time and of their abilities to others of the medical profession, and his usual response to any proffer of recompense was a bluff assertion that he really had done nothing.

His greatest joy, aside from the problems of practice, was obtained from hunting. The opening of the dove or deer season usually found Sterling afield. It is, therefore, peculiarly fitting that his remains are now interred at Hemet, near the woods and fields over which he had tramped so happily.

It is difficult to realize that no longer will his hearty chuckle echo through the corridors, difficult to adjust ourselves to his departure—yet, in the broadest sense, he is not gone, for his life lives in the hearts of his family, in the lives of literally hundreds of children whose safe delivery he accomplished, and in the memories of us—his friends.

WILLIAM BENBOW THOMPSON.

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#### William W. Wymore 1866-1938

"Sometimes death is a punishment; often a gift; it has been a favor to many." To William Watson Wymore it recently brought surcease from pain, and terminated some months of illness.

Doctor Wymore was born and reared in Grass Valley, and, like many another of his time, worked hard at various tasks, with the goal of medicine ever ahead. Born in 1866, he was graduated from Cooper Medical College in 1895 and was licensed to practice that year. He continued for many years his anatomical teachings there, having been one of the original demonstrators of anatomy. Old Doctor Lane was the embodiment of Hippocrates to Wymore; he was a devoted disciple.

He, like other members of the "old guard" who survive him, started practice in the Mission district. Lifelong friendships with Doctors Graves, Coffey, Austin, and Gallwey arose from this early association. He was an early member of the Board of Health. He was instrumental in having Doctors Geiger and Wilbor appointed to the positions they hold today.

During his entire life he was the "family doctor," and did a great deal of surgery and obstetrics.

Dignified but genial, quiet but quick at repartee (which he loved), he enjoyed, as did his friends, a great sense of humor.

As he lay these last months, thinking, as doctors must at the end of the trail, we hope he found solace in the knowledge of his great unselfishness. Patients came first, but all his life he was a friend of the young graduate. Quietly, but successfully, he always seemed to have the time, the interest, and the right berth for the right man.

Thus, more than one generation is grateful to him and mourns his passing.

H. M. F. BEHNEMAN.

## THE WOMAN'S AUXILIARY TO THE CALIFORNIA MEDICAL ASSOCIATION †

MRS. CLIFFORD A. WRIGHT.....President  
MRS. FRED H. ZUMWALT.....Chairman on Publicity  
MRS. FRANK H. RODIN..Assistant Chairman on Publicity

### Component County Auxiliaries

#### *Alameda County*

Mrs. Frank Baxter presided at the luncheon meeting of the Woman's Auxiliary to the Alameda County Medical Association on Friday, October 21. About one hundred members were present.

A program of unusual interest was presented. Mrs. Elizabeth Lossing, police woman and head of the crime prevention division of the Berkeley Police Department, spoke on *Protective Work with Girls*. Mrs. Lossing has been in charge of this work since its inception in 1925.

Miss Martha Tabb, gifted young cellist, played two numbers, accompanied by Mrs. Louis Henry Dyke, a member of the Auxiliary.

The hostess of the day was Mrs. Robert Sutherland, past president, and Mrs. LeRoy W. Hahn was chairman of reservations.

An enthusiastic and loyal group of members, headed by Mrs. Kenneth Neilsen, have been working with outstanding success for the Community Chest campaign.

MRS. GRANT ELLIS, *Publicity Chairman*.

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#### *Marin County*

The Woman's Auxiliary to the Marin County Medical Association met for dinner at the Marin County Golf and Country Club at 6:30 p. m. on Thursday, September 22. Due to illness, the president, the first and second vice presidents were unable to preside, therefore the secretary, Mrs. Harry Hensler presided.

Mesdames Clifford A. Wright, state president, E. Eric Larson, state secretary, and Fred H. Zumwalt, state publicity chairman, were the honored guests.

After dinner a short business meeting was held. Ways and means for increasing the Auxiliary treasury were discussed.

Mrs. Robert Furlong, program chairman, introduced the guests, who spoke informally to the members. Interest in present legislative measures was emphasized. Plans for the organization and future programs were outlined.

MRS. E. DELANCEY, *Publicity Chairman*.

† As county auxiliaries of the Woman's Auxiliary to the California Medical Association are formed, the names of their officers should be forwarded to Mrs. Frank H. Rodin, Assistant Chairman of the Publicity and Publications Committee, 2457 Bay Street, San Francisco. Brief reports of county auxiliary meetings will be welcomed by Mrs. Rodin, and must be sent to her before publication takes place in this column. For lists of state and county officers, see advertising page 6. The Council of the California Medical Association has instructed the Editor to allocate two pages in every issue to Woman's Auxiliary notes.

*Merced County*

The first meeting of the year of the Merced County Auxiliary was held on September 22 at the Hotel Tioga, at the dinner hour. The president, Mrs. Ed Soderstrom, presided. Twelve members were present, including three new members.

After dinner the goal for the year's undertaking was discussed. It was agreed that magazines, cards, and handicrafts be placed in the tuberculosis and children's wards of the county hospital.

A benefit bridge dessert was held on October 12 at the Woman's Club House to raise funds to help carry on the year's program.

MRS. MAX BRANNON, *Publicity Chairman*.

*Orange County*

The Orange County Auxiliary met for luncheon on October 4 at Daniger's Tea Room in Santa Ana. The new president, Mrs. Hiram Currey, presided and greeted all the members and guests.

Mrs. K. H. Sutherland presented Dr. W. W. Roblee, President of the California Medical Association, who gave an informative talk on *Modern Trends in Medicine*. Doctor Roblee urged special attention to legislative problems, to study bills and amendments in order that members may be able to inform others of the difference between legislation good or bad for public health.

Mrs. Roblee was introduced and in response invited the members to visit the Riverside County Auxiliary.

Committee chairmen reported on the year's outlines, and the membership chairman reported eleven new members had expressed the desire to join the Auxiliary.

MRS. G. WENDELL OLSON, *Publicity Chairman*.

*San Diego County*

The first fall meeting of the Woman's Auxiliary to the San Diego County Medical Society was held at 12:30 p. m. on September 13, in the House of Hospitality, Balboa Park. There were forty-four members present.

This meeting was arranged as a social function making it possible for all members to become better acquainted. After luncheon some enjoyed bridge and others knitted, and all spent a very pleasant afternoon.

MRS. H. K. ALBERTSON, *Publicity Chairman*.

*Santa Clara County*

On September 19, the spacious home of Mrs. Russell V. Lee, on the Stanford campus, was the setting for a delightful tea given in honor of Mrs. Clifford A. Wright, President of the Woman's Auxiliary to the California Medical Association, and her corresponding secretary, Mrs. E. Eric Larson. The officers and board of directors of the Santa Clara County Auxiliary were the hostesses. About fifty members were present to greet the distinguished visitors.

Mesdames John Hunt Shepard and Philip Wise presided at the beautifully appointed tea table, which was decorated with bright autumn flowers. Many pretty floral decorations throughout the house reflected the autumn season.

Mrs. Wright spoke briefly on the purposes of the Auxiliary, the ideals for which we must strive, and offered her help and advice at all times.

Mr. Clark Cypher, attorney from Palo Alto, gave a short talk on Bill No. 2, the Humane Pound Act, which will appear on the November ballot, urging all to work unceasingly against it.

The first regular meeting of the Santa Clara County Auxiliary was held on October 3 at the Leon Ghetti Tea

Room near Los Gatos. Mrs. M. D. Baker, president, presided, with about thirty members present.

After luncheon, Mrs. Russell V. Lee, program chairman, introduced the speaker, Mr. Adron Beene, whose subject was *Medical Legislation*. He spoke of the need to sponsor good health laws and work against those which would be detrimental to the health of the public.

Mrs. Baker asked for volunteers for the Community Chest campaign and to assist the Santa Clara County Tuberculosis Society to reorganize the files of the mailing list for the distribution of Christmas Seals.

MRS. CHARLES MOORE, *Publicity Chairman*.

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*Infectivity of Calcified Tuberculous Lesions.*—Whether or not calcified foci from childhood infections with tuberculi are possible sources of endogenous reinfection in later life has been a disputed question for a half century. In 1884 Dejerine studied calcified lesions in twelve tuberculous persons dying in the fourth, sixth, seventh, and eighth decades of life. He failed to find tubercle bacilli in the calcified lesions. Material from four of these lesions was injected into guinea pigs with uniformly negative results. From these scanty data Dejerine concluded that the infectious agent disappears quantitatively from tuberculous lesions as soon as calcification is complete. Quite different results were subsequently reported by Rabinowitsch, Schmitz, and others, who tested the guinea pig infectivity of thirty-two calcified foci from human necropsies and obtained positive results in seventeen cases.

Doubt as to the reliability of previous conclusions was afterward expressed by Griffith, who found that in 176 trials chronic tuberculous tissues failed to infect guinea pigs, although acid-fast bacilli were readily demonstrated by animal inoculation. By animal inoculation Opie and Aronson demonstrated tubercle bacilli in apparently non-infected portions of tuberculous lungs, suggesting that the alleged infectivity of calcified foci was due to slips in technique or unavoidable contamination of the calcified area.

Since there is at present no unanimity of opinion as to the probable infectivity of chronic tuberculous lesions, Feldman and Baggenston of the Mayo Clinic restudied this problem with the latest technical methods. Necropsy material was obtained from sixty-eight persons ranging in age from seven to ninety years who had died from causes other than tuberculosis. Evidence of previous pulmonary infection with tubercle bacilli was observed in all cases, the presumptive childhood tuberculosis appearing as encapsulated, caseous or calcified areas in the pulmonary tissues or the tracheobronchial lymph nodes. These encapsulated lesions were excised and emulsified in sterile sand and the emulsions thus obtained planted on two or more particularly favorable culture mediums. From two to six duplicate guinea pigs were inoculated subcutaneously with 1 to 2 cubic centimeters of each sample. All animals that died within twenty-one days were discarded, death presumably being due to primary or allergic toxicity of the emulsion or to nontuberculous virus or bacterial infection. The surviving guinea pigs were killed at the end of from eight to fourteen weeks and meticulously examined macroscopically, microscopically and culturally for evidence of tuberculosis.

Positive results were obtained in only one of the sixty-eight chronic tuberculous foci studied. In none of the other foci was the presence of tubercle bacilli demonstrated by either cultural or inoculation methods. The authors concluded from this evidence that in the majority of cases the "primary complex" in tuberculosis passes through an involutional process unfavorable to the continued viability of *Mycobacterium tuberculosis*. In their opinion endogenous reinfection from definitely capsulated, sclerotic, caseous or calcified tuberculosis of childhood is unlikely to occur.—*Journal of the American Medical Association*, August 20, 1938.